

Serial No.: 10/553,810
Examiner's Answer mailed: 25 January 2010
Reply Brief Date: 25 March 2010

PATENT
PU030125
Customer No.: 24498

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: BURNETT, Angela Renee, et al.

Examiner: TRAN, My Chau T.

Serial No: 10/553,810

Group Art Unit: 2629

Filed: October 18, 2005

Atty Docket: PU030125

Conf: 7795

For: LAMP PROTECTION SYSTEM AND METHOD

Mail Stop Appeal Brief-Patents

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY BRIEF UNDER 37 CFR 41.41

This Reply Brief is responsive to the Examiner's Answer dated 25 January 2010.

Status of Claims begins on page 2 of this paper.

Grounds of Rejection to be Reviewed on Appeal begins on page 3 of this paper.

Arguments begin on page 4 of this paper.

Serial No.: 10/553,810
Examiner's Answer mailed: 25 January 2010
Reply Brief Date: 25 March 2010

PATENT
PU030125
Customer No.: 24498

Status of Claims

Claims 1–9 are pending. Claims 1–9 stand rejected and are under appeal.
A copy of Claims 1–9 is presented in Section 8 of the Appeal Brief.

Serial No.: 10/553,810
Examiner's Answer mailed: 25 January 2010
Reply Brief Date: 25 March 2010

PATENT
PU030125
Customer No.: 24498

Grounds of Rejection to be Reviewed on Appeal

Claims 1–9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,136,397 to Miyashita.

Argument

A. Introduction

The present invention is directed to a system and method for protecting a lamp. In the instant invention, the lamp is maintained in an off-condition during a predetermined cool-down period of time following a power-off command. The lamp is automatically powered on at the end of the cool-down period if a power-on command is received during the cool-down period.

B. Whether Claims 1–9 are Anticipated Under 35 U.S.C. 102(b) With Respect To U.S. Patent No. 5,136,397 to Miyashita

The Examiner has rejected Claims 1–9 as being anticipated by U.S. Patent No. 5,136,397 to Miyashita. Miyashita is directed to a liquid crystal video projector having lamp and cooling controls.

It appears to the Appellants that the Examiner has misinterpreted Miyashita. Although Miyashita recognizes that certain types of projection lamps take time to warm to full brightness (column 8, lines 24-26), Miyashita does not recognize that a lamp should remain deenergized for a period following turn off, in order to avoid shortening the life of the bulb, as explained in the instant specification on page 1, lines 14-16. In fact, in response to an on command from remote control receiver 96 or control switch S₁ (column 7, lines 45-47), the command is dispatched (step 108, column 7, lines 51-52) and lamp 18 is turned on *without any delay*. See Figure 11A. Note that there is no delay between on/off command 105 (Figure 9) and lamp turn-on 138 (Figure 11A), for any reason.

Miyashita also does not show or suggest the concept that: “*turning power to the lamp back on immediately after, or shortly after turning the power off, can shorten the bulb life*”, as set forth in the instant specification on page 1, lines 14-16.

The Examiner has pointed to a lamp restart program 141, shown in Figure 14 of Miyashita. Lamp restart program 141 becomes active if the lamp fails to start upon initial energization (as step 141 of Fig. 11A, see Miyashita, column 8, lines 30-32). This has nothing to do with a delay after turn-off which prevents a lamp from being energized, as in the instant invention.

The Examiner has pointed to time delay 194. This is part of restart program 141, which is used only when the lamp fails to illuminate in response to an ON command.

The Examiner has also pointed to time delay 196. This delay allows the lamp to achieve full brightness before step 197, in which the lamp is tested to determine if it has become illuminated.

The Examiner has interpreted Figure 14 of Miyashita to show power-on and power-off commands. The Appellants cannot agree. Rather, the only on/off commands in Miyashita originate in remote receiver 96, or in command switch S₁. See column 7, lines 46-47 of Miyashita.

The Examiner has asserted that “predetermined cool-down period of time following receipt of the power off command” is not specifically defined in the claims or specification”. The Appellants cannot agree.

Page 3, lines 28-30, of the instant specification, recites: “*The cool-down timer is set to a predetermined length of time by the manufacturer, corresponding to the time needed for the lamp 106 to be fully de-energized*”.

It is therefore clear that the instant specification specifically defines the predetermined cool-down period.

Miyashita does not show or suggest:

*“means for maintaining the lamp in an off condition during a predetermined cool-down period of time following receipt of the power off command;
means for receiving a power-on command during the predetermined cool-down period of time; and
means for automatically powering on the lamp at the end of the predetermined cooldown period of time if the power on command is received during the predetermined cool-down period of time”,*

as specifically set forth in Claim 1. It is therefore clear that the patentability of Claim 1 is not affected by Miyashita.

Claims 2-5 are dependent from Claim 1 and add further advantageous features. The Appellants submit that these dependent claims are patentable for the same reasons as their parent Claim 1.

Similarly, Miyashita does not show or suggest:

*“(a) maintaining the lamp in an off condition during a predetermined cool-down period of time following receipt of a power-off command and
(b) automatically powering on the lamp at the end of the cool-down period of time if a power-on command was received during the cool-down period of time”,*

as specifically set forth in Claim 6. It is clear that the patentability of Claim 6 is not affected by Miyashita.

Claims 7 and 8 depend from Claim 6 and add further advantageous features. The Appellants submit that these dependent claims are patentable for the same reasons as their parent Claim 6.

Similarly, nowhere does Miyashita show or suggest:

“A computer readable medium encoded with a program which when executed by a processor maintains a lamp in an off condition during a cool down period of time and automatically powers on the lamp following the cooling down period of time if a power-on signal is received during the cool-down period of time”,

as specifically set forth in Claim 9. It is therefore clear that Miyashita does not affect the patentability of Claim 9.

Serial No.: 10/553,810
Examiner's Answer mailed: 25 January 2010
Reply Brief Date: 25 March 2010

PATENT
PU030125
Customer No.: 24498

C. Conclusion

The Appellants therefore respectfully request the Board to reverse the rejection of Claim 1-9 under 35 U.S.C. 102(b).

The Appellants believe that no fee is due. However, if a fee is required, the Commissioner is authorized to charge **Deposit Account No. 07-0832**.

Respectfully submitted,
Angela Renee Burnett et al.

Date: March 25, 2010

/Wan Yee Cheung/
Wan Yee Cheung
Attorney for Appellants
Registration No.: 42,410
Telephone No.: (609) 734-6834

Thomson Licensing LLC
Patent Operations
P.O. Box 5312
Princeton, NJ 08543-5312